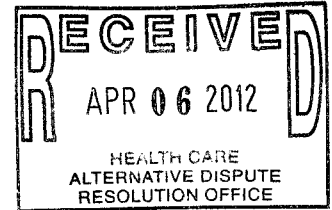


IN THE HEALTH CARE ALTERNATIVE DISPUTE RESOLUTION OFFICE
OF MARYLAND



JANICE A. SHOCKEY, et al. *

Claimants, *

v. *

HCA No.: 2012 -0050

PENINSULA REGIONAL HEALTH *
SYSTEM, INC., et al.

Defendant Health Care Providers. *

* * * * *

ELECTION TO WAIVE ARBITRATION

Pursuant to Maryland Courts & Judicial Proceedings Code Annotated § 3-2A-06B, the Claimants, Janice A. Shockey, et al, hereby elects to waive arbitration in the above-captioned matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. Joyce", written over a horizontal line.

Robert E. Joyce
841 E. Fort Avenue
#250
Baltimore, MD 21230
(443) 904-5706

Joanne L Suder
The Suder Law Firm, P.A.
210 E. Lexington Street
Suite 100
Baltimore, MD 21202
(410) 727-8177

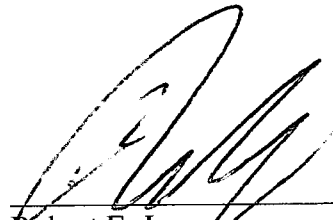
Attorneys for Claimants

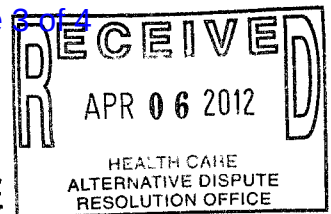
CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 5th day of April, 2012, the foregoing Election to Waive Arbitration and a copy of the Certificate of Qualified Expert, Merit and Report was mailed, postage prepaid, to:

The Corporation Trust Incorporated
351 West Camden Street
Baltimore, MD 21201

James S. Jacobs
Commerce Place STE 1910
One South Street
Baltimore, MD 21202


Robert E. Joyce



IN THE HEALTH CARE ALTERNATIVE DISPUTE RESOLUTION OFFICE OF MARYLAND

Janice Shockey, et al

Claimant,

Case No. 2012 049

vs.

David A. Mooradian, M.D., and
Doctors Emergency Physicians, P.A., and
Anne Arundel Medical Center

Health Care Providers.

CERTIFICATE OF QUALIFIED EXPERT, MERIT AND REPORT

I HEREBY CERTIFY that I have reviewed the medical records concerning Janice Shockey generated by the Health Care Providers named in these proceedings David A. Mooradian of Emergency Physician and Doctors Emergency Service, P.A., Anne Arundel Medical Center and other providers. In my opinion and based upon a reasonable degree of medical probability, the Health Care Providers identified in the Statement of Claim failed to meet the acceptable standards of care owed a patient under same or similar circumstances; and as a direct and/or proximate cause of the departure from the standards of care, Mrs. Janice Shockey suffered an injury resulting in loss of partial lung lobe, significant decrease in quality of life, financial burdens, suffering, pain and damages.

I FURTHER CERTIFY that I am a licensed physician, board certified in Emergency Medicine. I am in the active practice of medicine, and I devote less than 20% of my annual professional time to activities that directly involve testimony in medical malpractice claims.

Date: November 27, 2011

Signed Anh Vu Nguyen MD
Anh Vu Nguyen, MD.

Expert Report of Anh Vu Nguyen, M.D.

I have reviewed the medical records of David A. Mooradian, Anne Arundel Medical Center for admissions in 2008 and 2009 and Howard County Medical Center.

My review concludes, Janice Shockey is a 59 yr old with a past medical history consisting of Arthritis, Idiopathic Neuropathy of the feet, Gastroesophageal Reflux Disease, Restrictive vs. Obstructive Pulmonary Disease, Pulmonary Hypertension, Empyema, recurrent Pleural Effusions, and a Right Lung Abscess. Social history is noted as a non-smoker. In 2008 Mrs. Shockey was admitted to Anne Arundel Medical center and diagnosed with a complicated parapneumonic effusion that resulted in a Vats procedure. She was treated with antibiotics with follow up with her pulmonologist. In 2009, Mrs. Shockey was referred by her PCP to Anne Arundel Medical Center Emergency room to rule out a Pulmonary Embolus, following complaints of right sided chest pain radiating to her back. Her PCP notes the medical history as pneumonia and persistent cough over the last month. March 16, 2009 Mrs. Shockey is seen in Anne Arundel Medical Center as instructed. Dr. Mooradian's assessment reveals vital signs within normal limits, and blood results show a white blood cell count at 16,000. A CT Scan result showed parenchymal patches that were improved from 2008 CT scan results. Mrs. Shockey was discharged home without any antibiotics and to follow up in 3-5 days with her PCP, despite her medical history of a complicated parapneumonic effusion and pneumonia, being 5 weeks post-op from a recent Total Knee Replacement, and complaints of right-sided chest pain radiating into her back and an elevated white count. On March 23, 2009, Ms. Shockey again presented to Anne Arundel Medical Center with cough, hemoptysis and shortness of breath. Mrs. Shockey was admitted and diagnosed with necrotizing pneumonia resulting in a Right Lower Lobectomy. April 5, 2009 Mrs. Shockey discharged home with homecare services to assist patient with recovery.

In my opinion to a reasonable degree of medical probability, David A. Mooradian, MD breach the standard of care in failure to diagnose and treat pneumonia in a timely manner thus causing necrosis in the right lung and requiring a Partial Right Lung Lobectomy leading to significant changes Janice Shockeys quality of life, financial burdens, pain and suffering.

I am a licensed physician, board certified in Emergency Medicine. I am in active practice of emergency medicine, and I devote less than 20% of my annual professional time to activities that directly involves testimony in medical malpractice claims.

Best regards,



Anh Vu Nguyen, M.D.